

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JOE HAND PROMOTIONS, INC.,

Plaintiff,

vs.

JAMIE L. POGGE, individually, and as an
officer, director, shareholder, member and/or
principal of The Burlington League, LLC d/b/a
The Burlington League; and THE
BURLINGTON LEAGUE, LLC,

Defendants.

8:18CV446

ORDER

This Court's order dated April 10, 2019, granted Plaintiff's Motion to Compel ([Filing No. 20](#)), and granted Plaintiff's reasonable expenses incurred in filing the motion pursuant to Federal Rule of Civil Procedure 37(a)(5)(A), unless Defendants showed substantial justification for their failure to provide disclosures or if other circumstances existed that would make an award of expenses unjust. ([Filing No. 22](#)). The Court provided Defendants until April 24, 2019, make such showing. Defendants failed to respond to the Court's order. Accordingly,

IT IS ORDERED: Plaintiff is awarded its reasonable expenses incurred in filing its Motion to Compel ([Filing No. 20](#)). Counsel for the parties shall confer on a reasonable amount of fees to be awarded to Plaintiff incurred in filing the Motion to Compel, and, if there is agreement, shall file on or before **May 16, 2019**, a stipulation of the costs and fees to be awarded. In the event the parties fail to reach an agreement, Plaintiff may file on or before **May 17, 2019**, an application for the award of the costs and fees accompanied by an affidavit of such costs and fees, pursuant to NECivR. 54.3 and 54.4. Defendants shall have until on or before **May 24, 2019**, to respond to the Plaintiff's application. Thereafter, the issue of costs and sanctions will be deemed submitted and a written order entered.

Dated this 2nd day of May, 2019.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge